

Eastham Conservation Commission

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Conservation Commission Hearing Minutes December 13, 2011

Present: Chairman Stephen Smith, Steven LaBranche, Fred Rollinson, Sandra Larsen, Linda Haspel, Vivien Cook.

Staff Present: Neil Andres, Eastham DPW, Shana Brogan.

Also Present: Neil Andres of Eastham DPW, Timothy Brady of East Cape Engineering, River Family of Ellis Road, Doug Wallace, Frederick and Janet Guidi, David Lajoie of FELCO,

6:00PM

Chairman Smith opened the hearings.

Continuation on Notice of Intent filed by Eastham Department of Public Works. Applicant requests reconstruction of Ellis Road to eliminate storm water discharge to Town Cove, Map 22.

Neil Andres said the project was funded by the ARRA and provided a history of the project and they propose to raise the road with permeable pavement. He continued to say it has been highly reviewed by the University of New Hampshire. Linda Haspel asked for an update on meeting with abutters. Neil Andres responded that he had met with abutters and there were some in attendance. He continued to say they will use Lawrence-Lynch group and they will use staff time and the entire project would be supervised by the DPW. The Rivers - abutters to the project spoke with concerns that their property would become flooded and they don't want a new problem with the slope in their yard. Neil Andres explained that the permeable pavement has been very successful in other towns and they will keep the road maintained and it will need a vacuum and if there is a problem with it, the town is responsible for maintaining the road. Neil Andres continued to say they will use a hot mix for the aprons. Sandra Larsen suggested conditions for the abutters.

Stephen Smith closed the hearing.

Steven LaBranche **MOVED** to approve, Fred Rollinson **SECONDED**.

ALL IN FAVOR.

Commissioners agreed to draft and order of conditions and review at the next hearing.

6:00PM

Continuation of hearing for Notice of Intent filed by Ruth Taylor. Applicant requests vista pruning on a coastal bank at property located at 50 Smith Heights Way, Map 18, Parcel 055.

Doug Wallace represented the applicant. He said the original intent is to prune the vegetation and they have included the planting of low bush blueberry in their plan and the plan has been changed to work from the top of the bank and they propose to put in a row of hay bales to stake in the bank to work from and they will plant 24 low bush blueberry and 12 beach plum in Spring of 2012. He continued to say they want to prune vegetation on the top of the bank and they would like to put down a landscape cloth to keep the invasive vegetation down, and they may try planting bearberry as well. The commission expressed concern with trenching hay bales in the bank and suggested using a ladder. Fred Rollinson and Steven LaBranche said that getting rid of

the invasives might not be a possibility. The commission agreed that no cedars are to be pruned or cut in the application.

Vivien Cook **MOVED** to approve, Fred Rollinson **SECONDED**.
ALL IN FAVOR.

Continuation of Notice of Intent filed by David Valovcin. Applicant requests extension of current stone revetment and nourishment at property located at 15 West Road and 300 Silver Springs Beach Road, Map 4, Parcel 481 & 480.

The Commission reviewed the Order of Conditions for the project and Sandra Larsen asked about the proposed stairs. It was clarified they would be re-installed as is.

Vivien Cook **MOVED** to approve, Fred Rollinson **SECONDED**.
ALL IN FAVOR.

7:30PM

Continuation of Notice of Intent filed by James and Donna Demetri. Applicant requests an after the fact filing to plant select trees, shrubs at property located at 265 Herring Brook Road, Map 17, Parcel 486.

Vivien Cook **MOVED** to continue to December 27, 2011, Fred Rollinson **SECONDED**.
ALL IN FAVOR.

7:30PM

Continuation of Notice of Intent filed by Frederick and Janet Guidi. Applicants request construction of a 24' x 30' garage at property located at 20 Arrowood Drive, Map 17, Parcel 774.

Slade Associates represented the project and explained they cannot move the garage further from the wetland because there is a 19' setback. Stephen Smith said that he realizes they are discussing feet, but they are trying to improve the project for the resource. Sandra Larsen noted their submittal requirements are to show the entire property on the plan and it is to have a P.E. stamp and when they are there for the Wetlands Protection Act and the Eastham Wetlands Bylaw it is in their interest to protect the wetland. Stephen Smith noted they do not have the 50' wetland boundary and 100'. Slade associates said they would add the buffer zones, delineate the entire property on the plan, show the septic system, and review the submittal requirements.

Fred Rollinson **MOVED** to continue to January 10, 2012, Linda Haspel **SECONDED**.
ALL IN FAVOR.

7:50PM

Request for Determination of Applicability filed by Frederick Thomas. Applicant proposes removal of 40 trees and vegetation plan at property located at 1205 Herring Brook Road, Map 13, Parcel 78D.

Lindsay Strode of Cape Organics represented the project. He explained he would like to removed the beetle infested trees and replant with ground cover and they planned to remove the wood as root rot has spread and they will plant bayberry. Sandra Larsen said that because of the scope of work and that they are within a revierfront area the project should be an NOI. Lindsay Strode responded that he looked at natural heritage, and talked with the former conservation agent who encouraged him to file an RDA. Stephen Smith said the proposed mitigation is not enough.

Fred Rollinson **MOVED** to continue to December 27, 2011, Steven LaBranche **SECONDED**.
ALL IN FAVOR.

8:20PM

Notice of Intent filed by Adam and Judith Symansky. Applicant requests installation and maintenance of coir envelopes and sand drift fence at property located at 300 Silver Springs Beach Road, Map 4, Parcel 480.

The area is active with erosion and coir envelopes are a soft solution and they propose to reconstruct a sand drift fence. And he suggests nourishment at the bottom of the bank. He continued to say they will stage from Cooks Brook parking lot and ideally the Valovcin property revetment and Symansky can be done at the same time. John Griffen an abutter addressed the lack of enforcement of annual nourishment requirements.

Fred Rollinson **MOVED** to approve, Vivien Cook **SECONDED**.

ALL IN FAVOR.

8:45PM

Certificate of Compliance requested for DEP SE 19-703 by Christine M. Seaman for resetting of stairway at property located at 55 Shurtleff Road, Map 10, Parcel 234.

There is a new Order of Conditions for new stairs, so 19-703 does not apply.

Steven LaBranche **MOVED**, Fred Rollinson **SECONDED**.

ALL IN FAVOR.

8:50PM

Notice of Intent filed by Lori DeVeuve. Applicant proposes septic upgrades at property located at 20 Hoffman Court, Map 18, Parcel 220.

Sandra Larsen recused herself.

David Lajoie represented the project. He informed the commission they propose a septic upgrade as the house is for sale.

Linda Haspel **MOVED** to approve, Fred Rollinson **SECONDED**.

ALL IN FAVOR.

8:55PM

Other Business

East Cape Engineering - Plans Discussion

Bishop of Longstreet Lane

Timothy Brady represented the project. He explained they are to relocate the stairway and the new stairway will be of non-pressure treated wood and stone steps.

Fred Rollinson **MOVED** to approve the change in plans, Steven LaBranche **SECONDED**.

ALL IN FAVOR.

Minutes Approval

December 14, 2010

Steven LaBranche **MOVED** to approve, Linda Haspel **SECONDED**.

ALL IN FAVOR.

December 28, 2010

Steven LaBranche **MOVED** to approve, Linda Haspel **SECONDED**.

1 Abstention

MOTION CARRIED.

May 11, 2011

Steven LaBranche **MOVED** to approve, Linda Haspel **SECONDED**.

ALL IN FAVOR.

June 14, 2011

Fred Rollinson **MOVED** to approve, Steven LaBranche **SECONDED**.

ALL IN FAVOR.

August 03, 2011

Fred Rollinson **MOVED** to approve, Steven LaBranche **SECONDED**.

ALL IN FAVOR.

September 06, 2011

Fred Rollinson **MOVED** to approve, Steven LaBranche **SECONDED**.

ALL IN FAVOR.

November 22, 2011

Fred Rollinson **MOVED** to approve, Steven LaBranche **SECONDED**.
ALL IN FAVOR.

Cataldo – Violation Discussion

Discussion about the property line and the revetment and commissioners agreed the sand fence needs to be removed at the base of the revetment.

Adjournment

9:30PM

Steven LaBranche **MOVED** to adjourn, Vivien Cook **SECONDED**.
ALL IN FAVOR.

Respectfully Submitted as prepared by,



Shana Brogan


Stephen Smith, Chairman
Conservation Commission